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1)How effective is FMCSA's current compliance review process?

Overall, the current CR process is good, and result in increased compliance by most carriers. When we have sent in requests to have carriers reviewed due to violations discovered roadside those requests have been honored, and we have been made aware of the CR results.

a)What is working now?

CRs provide an excellent process for reviewing logbooks and time records, which are often hidden or unavailable to roadside officers. The CR is also great for checking drug testing and driver qualification files.

b)What is not working?

Intrastate vs interstate. Recently we had a interstate carrier cause a fatal crash, however it will not have to be logged on their accident register because it was an intrastate movement.

The CR process is ever changing with updates, changes, and alterations to the process, sampling sizes, definitions, etc. A better process should be developed to get this information to the CR Investigators in a timely and organized manner. The current process of collecting, and then sorting through past memos from various department heads, should be replaced with an updated manual. Changes or corrections should be made to the manual itself.

2)What alternative methods should FMCSA consider for determining carrier safety fitness and for addressing unsafe behaviors?

FMCSA's current programs, Compliance Reviews, Safety Audits, and Roadside Inspections seem to be effective.

Consider more aggressive driver enforcement as a result of the CR process. Company owners repeatedly complain that the driver violated the rules, but the owner has to pay the fine. I know this argument is their attempt to shift blame, but it may help gain compliance if we charge the company and driver both at the same time.

Consider a more aggressive education program for passenger vehicle drivers about the limitations on visibility, maneuverability, and stopping of CMVs.

3)What should be the focus of FMCSA's safety analysis process?

a)Motor carriers?

Same as current.

b)Drivers?

Same as current.

c) Owners?

Same as current.

d) Other people or entities associated with safety?

Education of passenger vehicle drivers to reduce unsafe driving around CMVs.

4) Should FMCSA present its safety evaluations to the public?

Yes.

a) If so, how?

I'm not sure. Possibly through the Safer Web site.

5) What should be the key attributes of a program to assess motor carrier safety?

Drivers, vehicles, crashes, training, and enforcement.

Drivers are the most critical component in CMV safety. Critical areas; Drug use, fatigue, unsafe driving. Unfortunately bad drivers are simply being shuffled from one company to the next. Company owners complain they don't have the ability to check all states for driver status and violation history. Unfortunately these same companies are hurting for drivers so they do a poor employment history check, or none at all.

Overall vehicle conditions are improving, but maintenance is still an important issue.

Crashes should be considered, but more importantly consider the cause of the crash. Was it driver error, impairment, fatigue, lack of training, equipment failure, or another motorist?

Training for drivers, dispatchers, and managers.

CRs should result in stricter enforcement for company and drivers. I still get complaints from credible drivers that dispatchers and owners are pushing them too many hours, and CMVs are not being properly maintained.

6) How should safety be measured? (This measurement may be used to focus FMCSA resources and to assess safety under 49 U.S.C. 31144, Safety fitness of owners and operators.)

Same as current.

a) Which data elements (crashes, inspection results, violations, financial condition) are the best indicators of safe (or unsafe) operations?

Crashes are a good indicator, but if we wait for crashes to happen we've waited too long. Inspection results, and number/type of violations should be used as a early warning indicator.

i) Are there other important safety indicators we currently overlook?

Consider a driver reporting hotline. Current drivers know the company procedures and maintenance.

b)How should FMCSA consider historical data when measuring safety?

Data becomes of less value the older it becomes. Company owners, safety directors, and drivers change. However, past enforcement can be important because sometimes the company hasn't made the necessary changes to improve safety. Generally information over five years old is given less consideration.

c)How should FMCSA consider unique characteristics of the operations (hazardous materials, passengers, others) when measuring safety?

These are important, and present unique challenges for the investigator, however; we are still dealing with common attributes when it comes to safety compliance; Drivers, vehicles, crashes, and training.

7)What compliance and enforcement tools are most effective?

(Currently FMCSA's interventions include issuing warning letters, issuing civil penalties, and placing motor carriers out-of-service.)

a)What types of interventions are most effective?

Civil penalties, and OOS orders seem to have the most effect. Owners complain they will just have to shut down because they can't afford to pay fines. Unfortunately they simply shut down for a short time, and then reopen under a different name and DOT number.

b)Should FMCSA use history and characteristics of a motor carrier's operations in determining which intervention is appropriate?

It depends upon the severity of the violation.

8)Additional Comments/Suggestions/Concerns:

None